

## **REMARKS**

In the Office Action, the Examiner has rejected claims 1, 3-23, 26, 35-38 under 35 U.S.C. 103(a) as being unpatentable over Nielsen (6,339,437 B1; hereinafter “Nielsen”) in view of Jaeger (7,103,851 B1; hereinafter “Jaeger”).

The Examiner has rejected claims 24-25 under 35 U.S.C. 103(a) as being unpatentable over Nielsen and Jaeger in view of Eick (5,644,692; hereinafter “Eick”).

The Examiner has rejected claims 27-29 under 35 U.S.C. 103(a) as being unpatentable over Nielsen and Jaeger in view of McGee, III et al. (6,990,496 B1; hereinafter “McGee”).

The Examiner has rejected claims 30-31 under 35 U.S.C. 103(a) as being unpatentable over Nielsen, Jaeger and McGee in view of Mohan et al. (6,970,881 B1; hereinafter “Mohan”).

The Examiner has rejected claims 32-34 under 35 U.S.C. 103(a) as being unpatentable over Nielsen, Jaeger, McGee, and Mohan in view of Kline (“Principles and Practice of Structural engine”, December 2002; hereinafter “Kline”).

These rejections are fully traversed below.

Claims 1 and 3-38 are pending in the application. Reconsideration of the application is respectfully requested based on the following remarks.

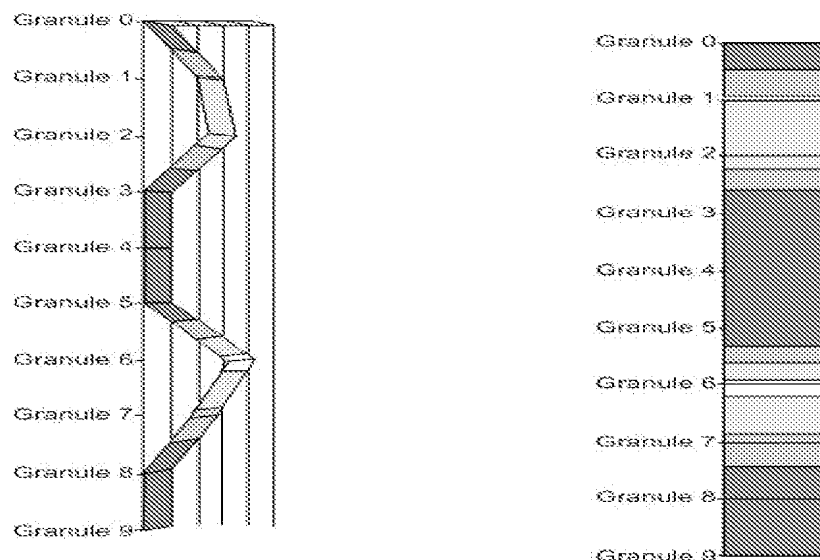
### ***Claim Rejections – 35 USC 103***

#### **Rejection under 35 USC 103(a) based on Nielsen and Jaeger**

The Examiner rejected claims 1, 3-23, 26, and 35-38 as being unpatentable under 35 U.S.C. 103(a) over Nielsen in view of Jaeger. With respect to the independent claims, Applicants respectfully submit that the cited references, either individually or in combination, do not disclose the limitation “wherein the scroll bar is generated such that the plurality of locations of the scroll bar indicate relative importance of contents in the corresponding locations of the file” (emphasis added), as recited in independent claims 1, 35, 36, and 37.

The relative importance of the contents at one location of a file is generated by performing a comparison with other locations in the file (“the use visual indicators ... to indicate the relative importance of locations in the file with respect to other locations in the file,” page 4, lines 1-3). This allows a user to ascertain those locations of a file that contain the most relevant content (“a user may ascertain those locations of a file that are *most significant* by viewing the scroll bar,” page 7, lines 10-11).

	Ref Count	Linear	Non-Linear
Granule 0	0	0.00	0.00
Granule 1	4	0.17	0.42
Granule 2	6	0.26	0.51
Granule 3	0	0.00	0.00
Granule 4	0	0.00	0.00
Granule 5	0	0.00	0.00
Granule 6	10	0.43	0.66
Granule 7	3	0.13	0.36
Granule 8	0	0.00	0.00
Granule 9	0	0.00	0.00
Total	23		



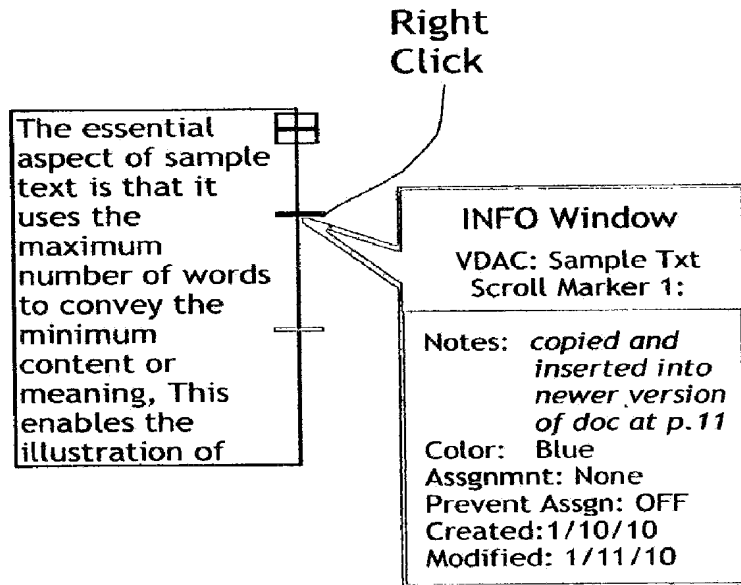
**FIG. 8**

This concept of relative importance is clearly illustrated in FIG. 8 of the application. As shown above, each row of the file is represented by a granule and has a reference count. The linear reference count of a granule is generated by dividing the reference count of the granule by the total reference count in the file. In other words, the relative importance of a granule is calculated by comparing the granule with other granules in the file. Similarly, the calculation of the non-linear reference count utilizes a non-linear function that compares a given granule with the other granules in the file. This concept of relative importance is also illustrated throughout

the detailed description. For example, FIG. 2 illustrates an example where “the rows in the file (or portions thereof) may be displayed to indicate *relative importance of the rows of the file with respect to one another.*” See application, page 7, lines 14-20. Similarly, FIG. 7 illustrates indicating “the row’s ‘importance’ or ‘significance’ *with respect to other rows in the file.*” See application, page 10, lines 4-7.

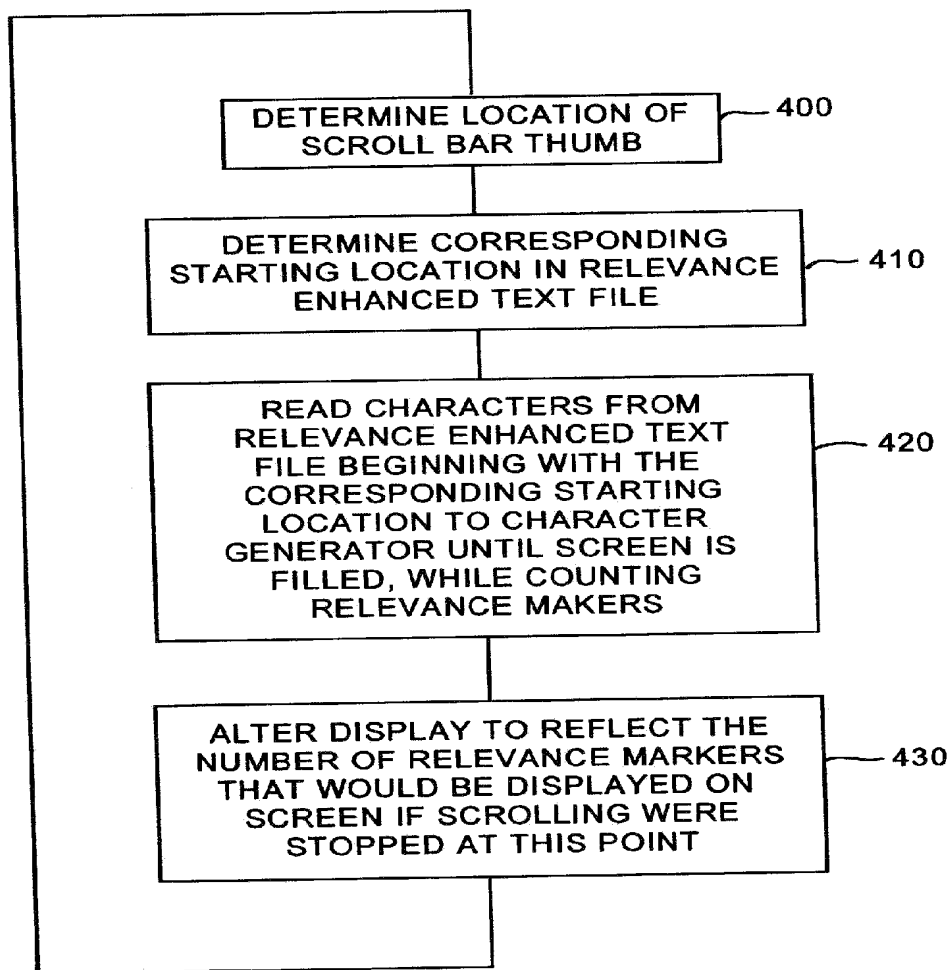
In contrast to the invention, Applicants believe that neither Nielson nor Jaeger teach nor even remotely suggest generating a scroll bar such that the plurality of locations of the scroll bar indicate the relative importance of contents in the corresponding locations of the file. More specifically, Jaeger merely teaches a user setting markers or tabs in a file. A scrolling feature allows a user to create marker bars throughout a file. See col. 4, lines 33-35. Each marker bar may be differentiated by being displayed in respective unique colors or include data for the purpose of identifying the importance and utility of each marker. See col. 4, line 57 to col. 5, line 2. At no point, does Jaeger even remotely suggest that any of these tabs or markers relate to the relative importance of the contents within the file. The tabs merely enable the user to manually identify the importance and utility of each marker bar. In other words, the importance specified in Jaeger is related to the importance of the tabs rather than the contents in the locations of the file. For example, the data illustrated in Fig. 6 of Jaeger (shown below for the benefit of the Examiner) includes information that relates only to the tab itself (e.g. date modified, date created, and notes about the tab).

Moreover, Jaeger does not teach nor suggest that any of these tabs or markers can be used to ascertain the relative importance of the various tabs or markers with respect to each other. For example, Fig. 6 of Jaeger shows marker bars may be displayed in unique colors or include data to describe the marker, wherein the color of the marker may be used to illustrate importance. However, nowhere in Jaeger does it teach calculating the relative importance of contents in the corresponding locations of the file. In other words, Jaeger does not relate the importance of one marker to other markers in the file.



**FIG. 6**

Furthermore, Nielson also does not teach relative importance of a plurality of locations. Instead, Nielson teaches locating one or more desired locations and changing the color of the scrollbar to reflect the amount of relevance detected at a given scroll thumb location. This is clearly illustrated in FIG. 4 of Nielson (shown below for the benefit of the Examiner).



**FIG. 4**

At step 430, Nielson alters the display to reflect the number of relevance markers that would be displayed on the screen if scrolling were stopped at this point. In other words, the importance of this location only takes into consideration the contents at this location. Nowhere in Nielson does it disclose generating the relative importance of a location by comparing the contents at that location with the contents at other locations in the file. The Examiner agrees with this assessment of Nielson on page 3 of the Office Action by stating:

“Although Nielson teaches changing the color of the scroll bar to reflect the amount of relevance detected at a given scroll thumb location, Nielson does not expressly teach displaying the scroll bar by applying the one or more display criteria to the plurality of locations on the scroll bar corresponding to the one or more desired locations in the file, where in the scroll bar is generated such that the

plurality of locations of the scroll bar indicate relative importance of contents in the corresponding locations of the file.”

(page 3 to page 4, emphasis added)

Therefore for at least the reasons stated above, the Applicants believe that the combination of Nielsen and Jaeger fail to render claim 1 unpatentable. Independent claims 35, 36, and 37 also contain the limitation “relative importance” and are therefore patentably distinct from the cited references for the same or similar reasons. Dependent claims 3-23, 26, and 38 include all the limitations of claim 1 and include additional limitations. Therefore, these claims are allowable for at least the same or similar reasons.

Rejection under 35 USC 103(a) based on Nielsen, Jaeger, and Eick

The secondary issue in this case is whether claims 24-25 are unpatentable over Nielsen and Jaeger in view of Eick. Claims 24-25 are dependent from claim 5, which in turn is dependent on claim 1. Applicants respectfully assert that Eick fails to cure the deficiencies discussed above with respect to claim 1. Accordingly, claims 24-25 are not unpatentable over Nielsen and Jaeger in view of Eick.

Rejection under 35 USC 103(a) based on Nielsen, Jaeger, and McGee

Another secondary issue in this case is whether claims 27-29 are unpatentable over Nielsen and Jaeger in view of McGee. Claims 27-29 are dependent on claim 1. Applicants respectfully assert that McGee fails to cure the deficiencies discussed above with respect to claim 1. Accordingly, claims 27-29 are not unpatentable over Nielsen and Jaeger in view of McGee.

Rejection under 35 USC 103(a) based on Nielsen, Jaeger, and Mohan

Another secondary issue in this case is whether claims 30-31 are unpatentable over Nielsen and Jaeger in view of Mohan. Claims 30-31 are dependent on claim 28, which in turn is dependent on claim 1. Applicants respectfully assert that Mohan fails to cure the deficiencies discussed above with respect to claim 1. Accordingly, claims 30-31 are not unpatentable over Nielsen and Jaeger in view of Mohan.

Rejection under 35 USC 103(a) based on Nielsen, Jaeger, Mohan, and Kline

Another secondary issue in this case is whether claims 32-34 are unpatentable over Nielsen, Jaeger, and Mohan in view of Kline. Claims 32-34 are dependent on claim 30, which is

dependent on claim 28, which is dependent on claim 1. Applicants respectfully assert that Kline fails to cure the deficiencies discussed above with respect to claim 1. Accordingly, claims 32-34 are not unpatentable over Nielson, Jaeger, and Mohan in view of Kline.

## **SUMMARY**

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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